

Improvement Res. No. 1394-75

*Vac. of Dells Ave. from
spl of N. Schomburg St.
& its southern terminus.*

Resolution Adopted:

July 14, 1975

Confirmed:

Sept. 25, 1975

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Oct. 23, 1975

B.O. 13-75

DECLARATORY RESOLUTION NO. 1394-1975

For the vacation of Dells Avenue from the south property line of North Schomburg Drive to its southern terminus.

The south 14 feet of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of conduits, telephone and telegraph pole lines and conduits.

ADOPTED: July 14, 1975

ADVERTISE NOTICE TO PROPERTY OWNERS: July 18 & 25, 1975

NOTICES MAILED: July 25, 1975

HEARING ON CONFIRMATION: Thurs., August 7, 1975
at 3:30 p.m. *

CONFIRMED: September 25, 1975

ASSESSMENT ROLL ORDERED: Sept. 25, 1975

ASSESSMENT ROLL APPROVED: Oct. 8, 1975

HEARING ON CONFIRMATION OF A. R.: Thurs. Oct. 23, 1975 at 3:30pm

NOTICE SERVED: Oct. 10, 1975 *cont. to Thurs.,
August 21, 1975

ASSESSMENT ROLL CONFIRMED. Oct. 23, 1975 at 3:30 p.m. **

To D of F

**Cont. to Thurs.,
Sept. 25, 1975
at 3:30 p.m.

62-164-7 H.I.
7/14/75

DECLARATORY RESOLUTION No. 1394 19 75

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of Dells Avenue from the south property line of North Schomburg Drive to its southern terminus.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Dells Avenue from the south property line of North Schomburg Drive to its southern terminus.

All as shown by a plan of such proposed Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lots 4 & 5 Schomburg Dells Addition Amended and part of Lot #3 Archers Out Lots, said Additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

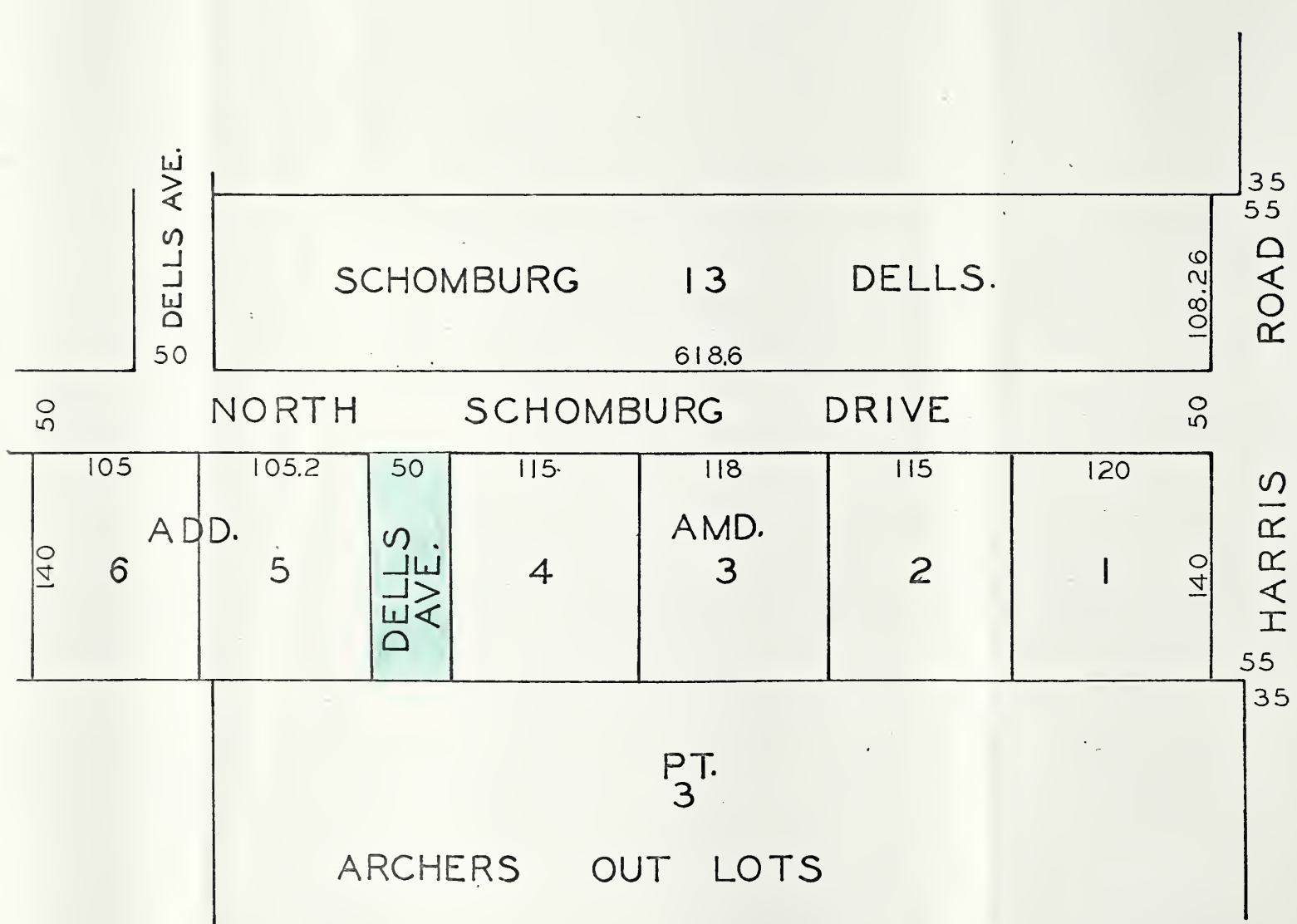
Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

south 14 feet
The vacation of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance ~~of sewers, water mains, gas mains, electric pole lines and~~ conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the northwest quarter Section Twenty Seven, Township 31 north, Range 12 east, and lie wholly within the Corporate Limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 12 DAY OF July 19 75.
Attest: [Signature]
Secretary Board of Public Works.
[Signature]
Board of Public Works.

 VACATE STREET



1394

PETITION TO VACATE DELL AVENUE

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned, the Petitioner, does hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, to vacate the following described street within the City of Fort Wayne, Allen County, Indiana, to-wit:

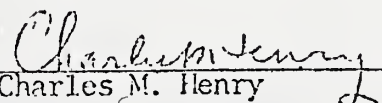
Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus.

Your petitioner represents that:

1. That he is the owner of the real estate abutting on both sides of the street herein sought to be vacated.
2. That no other person, firm or corporation is interested in or affected by the requested vacation.
3. That the street sought to be vacated has never been opened or improved.
4. That said street is not necessary as ingress or egress to any other property whatsoever.
5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said street be vacated as prayed.

Your petitioner files this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744 in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.


Charles M. Henry

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O. 13-75

Date September 25, 1975 62-273-6

To STREET ENGINEERING DEPARTMENT

Subject Dec. RES. No. 1394-75 - vac. of Dells Ave.

CONFIRMED.

Please prepare Assessment Roll of Benefits and Damages.

RECEIVED

SEP 26 1975

CITY ENGINEERING DEPT.

J. D. BOSWELL
C. E. O'NEAL
B. L. NAULT
BOARD OF PUBLIC WORKS

ajf


P.O. List attached

Signed _____

Reply:


October 6, 1975

Attached please find Assessment roll of Benefits and Damages for
Declaratory Resolution 1394-75.


KNT:sw
Encl.

BOARD OF PUBLIC WORKS

OCT - 6 1975


Ron Bonar, City Engineer

Signed _____

62-286-6 10/8/75
SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

September 25, 1975 62-273-6

B.O. 13-75

STREET ENGINEERING DEPARTMENT

Dec. Res. No. 1394-75 - vac. of Dells Ave.

CONFIRMED.

Please prepare Assessment Roll of Benefits and Damages.

J. D. BOSWELL

C. E. O'NEAL

B. L. NAULT

BOARD OF PUBLIC WORKS

ajf

P.O. List attached

TO: Board of Public Works Office
City Hall, Ft. Wayne, Ind.

8-15-75

To Whom it may concern:

We, the following lot and property owners in the Schomburg Dells Addition(Ft. Wayne, Ind.) are against vacation of Dells Avenue from the South property line of North Schomburg Drive to its southern terminus.

We feel that the realestate south of the Schomburg Dells Addition which will eventually be developed would only have one entrance from the north, and thus would create excessive traffic on North Schomburg Drive, and also increase the possibility of injury to our children as well as other inconveniences.

Lot No. 1

Lot No. 2

Lot No. 3

Lot No. 4

Lot No. 5

Lot No. 6

Lot No. 7

Lot No. 8

Lot No. 9

Lot No. 10

Lot No. 11

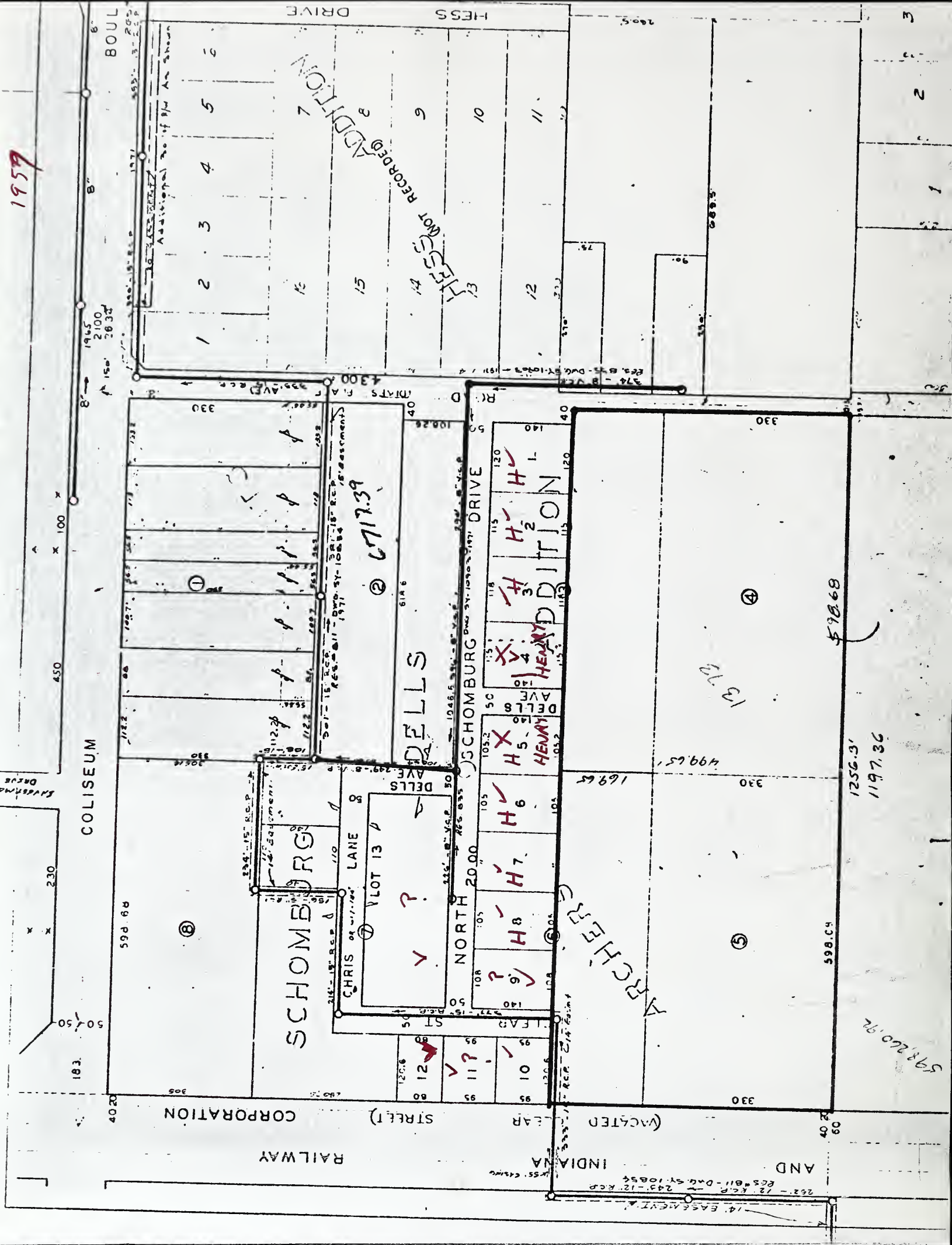
Lot No. 12

Lot No. 13 -
(remaining
lot area)

Christ. Lewandowski
Bruce Fichtel
Ray Schomburg
K.W. Mensing
Ray Schomburg

John Lewandowski
Robert Dornier
Ray Schomburg
Ray Schomburg

1959



OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

M.R. 62-224-1

B.O. 13-75

Date August 22, 1975

To Street Engineering

Subject Declaratory Res. No. 1394-1975 - Vacation of Dells Avenue from N. Schomburg south

Hearing was continued to September 25, 1975 at 3:30 p.m. to allow time for attorneys Norbert Schenkel, for petitioner Charles Henry, and Stephen Adair, for remonstrator R. J. Schomburg, to work with their clients toward an equitable solution.

Dr. Jerry D. Boswell
Carl E. O'Neal
Betty Lou Nault
BOARD OF PUBLIC WORKS

/bt

Signed _____

Reply: _____

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

RAILWAY

(VACATED 1212 CLAR STREET) CORPORATION

ARCHER

ה'תרס"ח

CHRIS LANE

8 LOT 13

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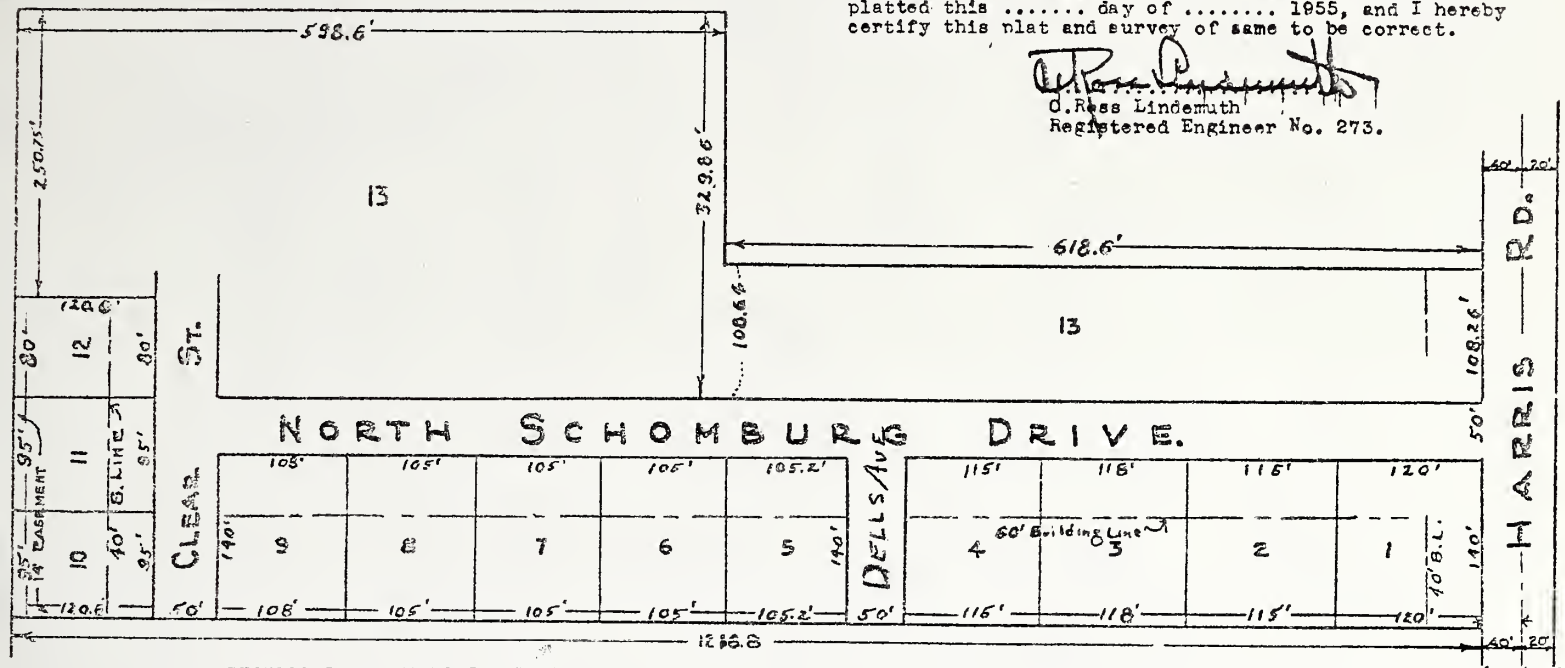
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SCHOMBURG DELLS ADDITION

The plat hereon shown, is a plat of SCHOMBURG DELLS ADDITION; being a subdivision of the following property; The North $\frac{1}{2}$ of Lot No.3, the North $\frac{1}{2}$ of Lot No.6 and the the South 2 acres of Lot No.2; all of Lot No.7 and the South .265 acres of Lot No.8 in Archer's Out Lots, in Section 27, Township 31 North Range 12 East, excepting therefrom a sixty (60) strip of land off the West side thereof.

The lots are numbered from One to Thirteen, inclusive. and the dimensions are marked in feet. Surveyed and platted this day of 1955, and I hereby certify this plat and survey of same to be correct.

G. Ross Lindemuth
G. Ross Lindemuth
Registered Engineer No. 273.



RESTRICTIONS AND LIMITATIONS

All lots in this subdivision will be subject to the following restrictions and limitations.

- No.1 All lots will be used for residential purposes only.
- No.2 One dwelling only will be erected on any one lot.
- No.3 No building of any kind will be erected nearer the front lot line than the building line shown for that lot.
- No.4 No building of any kind will be erected nearer than 10 feet from the side lot line.
- No.5 An easement on along and over the rear 14 feet of each lot will be kept unobstructed for the placing of sewers, drains, poles or other public utilities.
- No.6 No lot in this subdivision will be used for the rearing or harboring of cattle, swine nor for any other purpose resulting in offensive odors or surface conditions.
- No.7 All sewage from lots in this subdivision will be disposed of by using septic tanks and seepage beds; same are to meet the approval of the Allen County Health Officer and are to be inspected by him before being covered.
- No.8 No lot will be used for the storing of old automobiles or other junk.
- No.9 No tents, trailers, shacks or other temporary buildings for dwelling purposes will be permitted on any lot.
- No.10 No one floor dwelling having less than 1400 square feet of floor space exclusive of breezeway, porches and garages will be permitted on any lot in this subdivision.
In case a two story or story and half dwelling is erected this first floor space is to be not less than 960 square feet.
- No.11 Until such time as a combined water supply is available all lots will have a private well.
- No.12 Restriction No.2 does not apply to Lots No.12 and 13.
- No.13 The 50 foot strip lying between Lots No. 4 and 5 will revert equally to said lots if not used for street purposes.

We, the undersigned, do hereby certify that we are the legal owners of the property herein described, this 17th day of March 1955, and that we do hereby plat same as is hereon shown.

Ray J. Schomburg
Ray J. Schomburg
Atty. Gen. Schomburg

STATE OF INDIANA
COUNTY OF ALLEN; SS:

Before me a Notary Public in and for said County and State, personally appeared *Ray J. Schomburg*, the above named owners, this 17th day of March 1955, and acknowledged the execution of the foregoing plat; same to be their voluntary act.

Margaret Myers
Notary Public.

My Commission expires, Oct 17 - 1958

Approved by the City Plan Commission of Fort Wayne, Indiana. APRIL 19, 1955

Norman J. Kade Pres. *Chas. H. Hulse*
Frank C. Hulse *Harold D. Vandenberg*
Alfred J. Hulse *W. F. Hulse*
Walter Hulse
John Hulse

Approved By The Board Of Public Works Of Fort Wayne, Indiana. APRIL 19, 1955

John Hulse *Frank K. Rose*
Chas. H. Hulse

Recorded June 27, 1955 at 2:18 P.M.

Plat Record 21 page 158.

NOTICE TO PROPERTY OWNER

Office Board of Public Works
City Hall
Fort Wayne, Indiana.....July 25, 1975.....

To.....:

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No...1394-75..... providing for the vacation of Dells Avenue from the south property line of North Schomburg Drive to its Southern Terminus.

The Board has fixed Thursday, August 7, 1975 at 3:30 p.m., Rm. 910 City-County Bldg. a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

SCHOMBURG DELLS ADD. AMD.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

M.R. 62-164-6, 7 & 8

B.O.'s 85-74, 13-75, 12-75

Date July 14, 1975

To Street Engineering

Subject SEE BELOW

The following resolutions were adopted Monday, July 14, 1975:

- Alley Imp. Res. No. 5702-1975 - First alley north of Sixth Street from epl of Cass Street to wpl of Harrison Street with 7" plain concrete.
- Declaratory Res. No. 1394-1975- Vacation of Dells Avenue from spl of N. Schomburg Dr. to its southern terminus.
- Declaratory Res. No. 1395-1975- Vacation of Fernwood Avenue from a point 25 feet east of the east line of Herman Young's Homestead Addition, Section "A" to the wpl of Parnell Avenue.

Hearing on Confirmation on all of above is Thursday, August 7, 1975 at 3:30 p.m.

Dr. Jerry D. Boswell
Carl E. O'Neal
Betty Lou Nault
BOARD OF PUBLIC WORKS

/bt

Signed _____

Reply: _____

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O. 13-75

maf
Date February 28, 1975

To Ken Traylor, Street Engineer

Subject Vacation - Dell Avenue

We have received the attached copy of petition being submitted to City Plan for their action.

When this has been approved by City Council, please prepare Resolution and necessary documents for Board's action.

Dr. Jerry D. Boswell
Carl E. O'Neal
Glenn G. Conkling
BOARD OF PUBLIC WORKS

/bt

RECEIVED

MAR 8 1975

CITY ENGINEERING DEPT.

Signed _____

Reply: The south 14 feet of the above described street shall be retained for easement.

July 11, 1975

Declaratory Res. No. 1394, drawing and property ownership list completed and attached.

Kenneth N. Traylor
Kenneth N. Traylor *L.C.*

Street Engineer

Attachs.

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY



THE CITY OF FORT WAYNE
board of public works

July 29, 1975

SUBJECT: PUBLIC HEARINGS

Dear Councilman William T. Hinga:

Please be advised that the Board has scheduled a public hearing Thursday,
August 7, 1975 at 3:30 p.m. concerning the following
project(s):

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Esm. Res. No. 138-75 - Spy Run Crk. on the E. etc.

HEARING ON CONFIRMATION:

Alley Imp. Res. No. 5702-75

- 1st alley north of
Sixth

Dec. Res. No. 1394-75

- Dells Avenue ✓

St. Sdw. & Lighting Res.
5701-75

- Emma St. wpl of
Steup Ave. etc.

You are invited to attend this public hearing and hear the comments of
your constituents regarding the project(s). If you have any questions
on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell

Carl E. O'Neal

Betty Lou Nault

BOARD OF PUBLIC WORKS

ep

cc: Mayor

AN EQUAL OPPORTUNITY EMPLOYER



THE CITY OF FORT WAYNE

board of public works

September 22, 1975

SUBJECT: PUBLIC HEARINGS

Dear Councilman Hinga:

Please be advised that the Board has scheduled a public hearing Thursday,
September 25, 1975 at 3:30 p.m. concerning the following
project(s):

Continued from August 21, 1975

HEARING ON CONFIRMATION:

Dec. Res. No. 1394-1975

Dells Avenue from North
Schomburg Drive to
southern terminus

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Dec. Res. No. 1396-1975

Vac. of Donnell Ave. etc.

You are invited to attend this public hearing and hear the comments of
your constituents regarding the project(s). If you have any questions
on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell

Carl E. O'Neal

Betty Lou Nault

BOARD OF PUBLIC WORKS

ep

cc: Mayor

AN EQUAL OPPORTUNITY EMPLOYER



THE CITY OF FORT WAYNE

engineering department
7th floor, city-county building, Room 740
one main street, fort wayne, indiana 46802

BOARD OF PUBLIC WORKS

MAY - 2 1975

May 1, 1975

Northern Indiana Public Service Company
Indiana & Michigan Electric Co.
General Telephone Co. of Indiana

NOTED

☒ J.D.B.

☒ C.E.O.

☐ C.O.

Date _____

We have received petitions to vacate the following:

The first alley south of Brackenridge Street from the west property line of Calhoun Street to the east property line of the first alley west of Calhoun Street. (B.O. 211-74)

Sandhill Drive from the west property line of Earth Drive to the west property line of Earth Industrial Park Addition. (B.O. #17-75)

☒ Dells Avenue from the south property line of North Schomburg Drive to its southern terminus. (B.O. #13-1975)

The first alley west of Beaver Avenue from the south property line of Oakdale Drive to the north property line of the first alley south of Oakdale Drive. (B.O. #212-74)

Please check your easement requirements on the enclosed post cards and return to us as soon as possible.

Yours truly,

Kenneth N. Traylor
L.C.

Kenneth N. Traylor
Street Engineer

lc
attachs.

xc: Board of Public Works ☒

May 1, 1975

Patsie Rumsey
City Plan Department

Tom Manny
Traffic Engineer

Please submit your opinion and recommendations onf the following
proposed vacations:

The first alley south of Brackenridge Street from the west
property line of Calhoun Street to the east property line of
the first alley west of Calhoun Street. (B.O. 211-74)

Sandhill Drive from the west property line of Earth Drive to
the west property line of Earth Industrial Park Addition.
(B.O. #17-75)

Dells Avenue from the south property line of North Schomburg
Drive to its southern terminus. (B.O. #13-1975)

The first alley west of Beaver Avenue from the south property
line of Oakdale Drive to the north property line of the first
alley south of Oakdale Drive. (B.O. #212-74)

Kenneth N. Traylor
L.E.

Kenneth N. Traylor
Street Engineer

lc
attachs.

xc: Board of Public Works ✓

VACATE STREET

50 DELLS AVE.

SCHOMBURG 13 DELLS.
6186
108.26

50

NORTH SCHOMBURG DRIVE

50

105

105.2

50

115

118

115

120

140

6

ADD.

5

DELLS
AVE.

4

AMD.
3

2

1

140

HARRIS

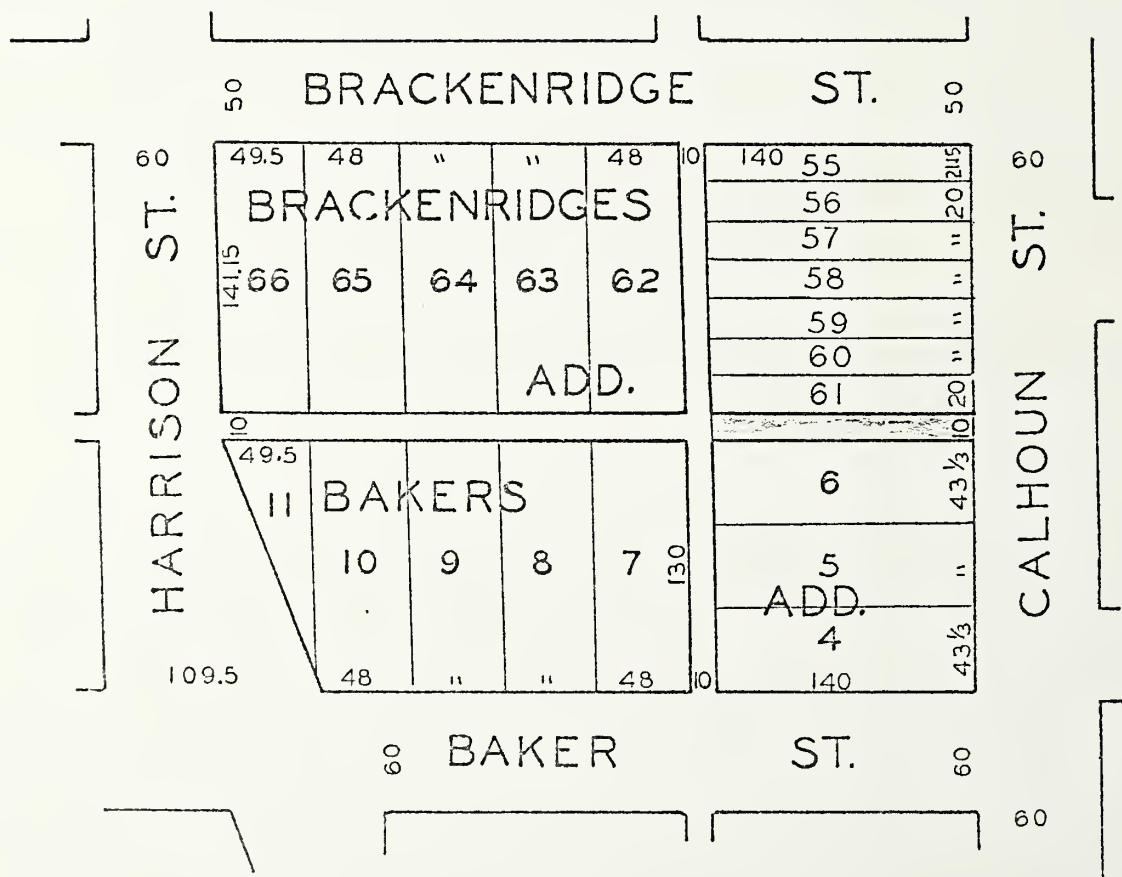
ROAD

PT.
3

ARCHERS OUT LOTS



NI



VACATE ALLEY



OAKDALE DRIVE

40	"	"	"	"	"	"	40	40	"	"	"	"	"	"	"	"	40
21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4
145									40	40							145
									35	35							

WILSONS

ADD.

8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
60	55	55	55	55	55	60	"	"	"	"	"	"	60	53

ILLSLEY

PLACE

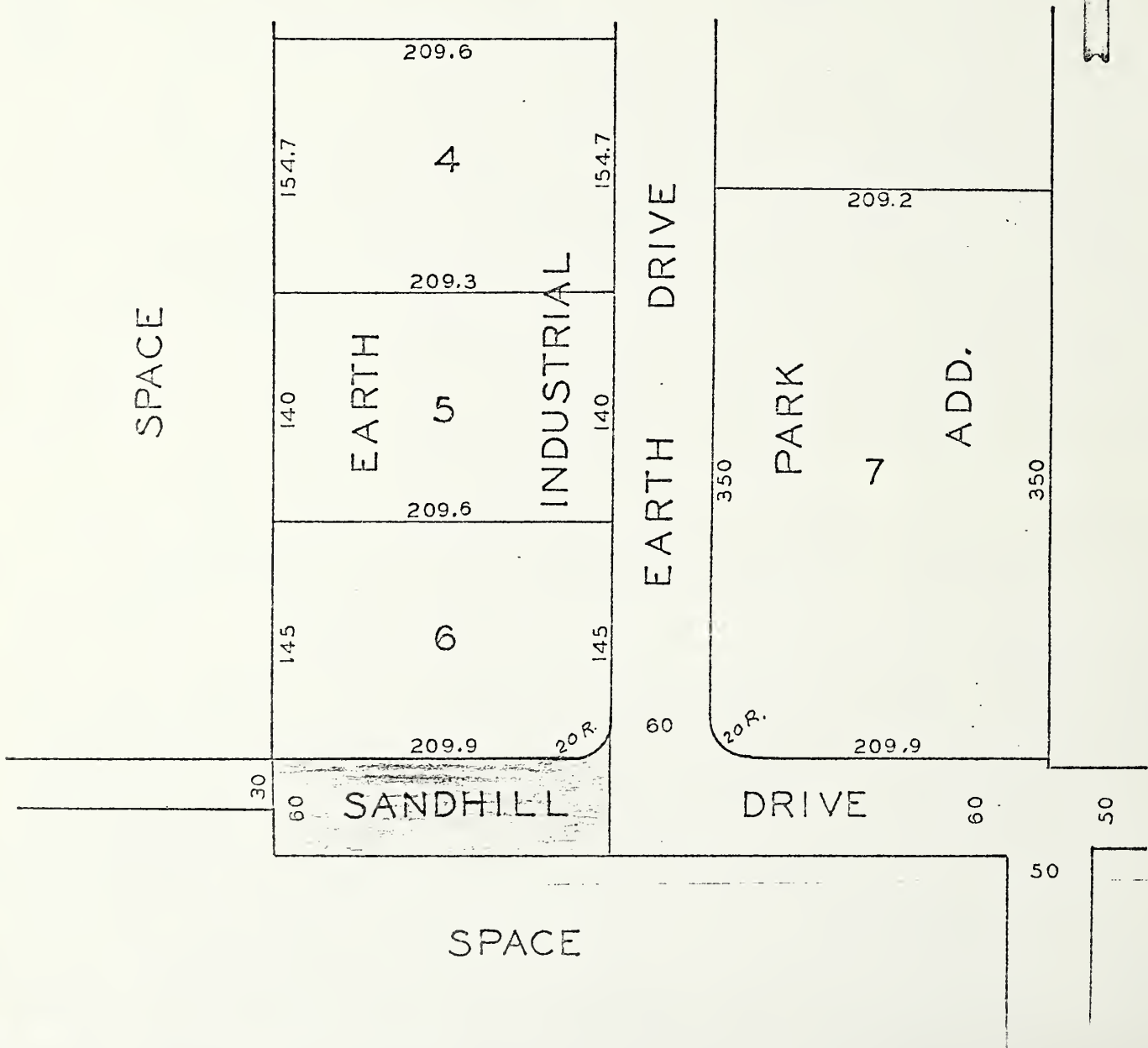
ADD.

BEAVER AVE.

ILLSLEY DRIVE



VACATE STREET



BILL NO. G-75-03-18

GENERAL ORDINANCE NO. G- 08-75

AN ORDINANCE amending General Ordinance No.
G-97 by authorizing the vacation of a portion
of Dell Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Dell Avenue having been filed with the Fort Wayne City Plan Commission on February 24, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Dell Avenue, Fort Wayne, Allen County, Indiana, to-wit:

Dell Avenue, located between Lots # 4 and # 5 Schomburg
Dells Addition, extending south from the south right-of-way
of North Schomburg Drive, 140 feet to its terminus

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraus

Councilman

APPROVED 10 TO FORM
AND LEGAL

Neil Blair
CITY ATTORNEY

B.O. 13-75

February 28, 1975

Ken Traylor, Street Engineer

Vacation - Dell Avenue

We have received the attached copy of petition being submitted to City Plan for their action.

When this has been approved by City Council, please prepare Resolution and necessary documents for Board's action.

Dr. Jerry D. Boswell

Carl E. O'Neal

Glenn G. Conkling

BOARD OF PUBLIC WORKS

/bt

Memorandum

To Edna Smith / Board of Works Date Feb. 28, 1975
From Patsie Rumsey / City Plan
Subject Vacation of Dell Ave. 13

COPIES TO:
File

Edna:

Attached is the petition to vacate a portion of Dell Avenue.

Also attached:

1. Resolution of the City Plan Commission approving this vacation at their meeting held Feb. 24, 1975
2. Communications letter to the City Council
3. Request for Action
4. Digest sheet
5. Map

To my knowledge, this petition has not received a Board of Works Number.

If there are any questions, please call me.

Patsie



COMMUNITY DEVELOPMENT AND PLANNING

February 28, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

Dell Avenue, located between Lots # 4 and # 5 Schomburg
Dells Addition, extending south from the south right-of-way
of North Schomburg Drive, 140 feet to its terminus.

which was approved by the City Plan Commission at its regular meeting
held February 24, 1975.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of February, 1975.

Charles N. Hall
Secretary

an equal opportunity employer



REQUEST FOR ACTION

TO: City Attorney David B. Keller
or
Associate City Attorney Mr. Ralph Blume / 344 Utility Building

FROM: (Name, Title & Department) COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning and Zoning

Approved by MIB [Signature]
(Person authorized to forward legal work)

Date: February 28, 1975

Subject: Street vacation ordinance
(File subject designation)

File # Assigned by Records Librarian

Date: _____

Action Requested: Preparation of a street vacation ordinance for
introduction into Council.

(Continue on reverse side, if necessary)

cc: City Attorney David B. Keller
(If request originally sent to an Associate City Attorney)
Mayor Ivan A. Lebamoff
Department Head of Requesting Party

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of the
following described street:

Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition,
te extending south from the south right-of-way of North Schomburg Drive,
140 feet to is terminus.

EFFECT OF PASSAGE Street is presently unopened and unimproved. When
vacated, this street will be utilized by abutting property owners.

EFFECT OF NON-PASSAGE Street would remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) _____

PETITION TO VACATE DELL AVENUE

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned, the Petitioner, does hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, to vacate the following described street within the City of Fort Wayne, Allen County, Indiana, to-wit:

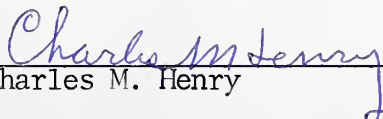
Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus.

Your petitioner represents that:

1. That he is the owner of the real estate abutting on both sides of the street herein sought to be vacated.
2. That no other person, firm or corporation is interested in or affected by the requested vacation.
3. That the street sought to be vacated has never been opened or improved.
4. That said street is not necessary as ingress or egress to any other property whatsoever.
5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said street be vacated as prayed.

Your petitioner files this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744 in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.


Charles M. Henry

PETITION TO VACATE DELL AVENUE

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned, the Petitioner, does hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, to vacate the following described street within the City of Fort Wayne, Allen County, Indiana, to-wit:

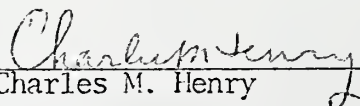
Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus.

Your petitioner represents that:

1. That he is the owner of the real estate abutting on both sides of the street herein sought to be vacated.
2. That no other person, firm or corporation is interested in or affected by the requested vacation.
3. That the street sought to be vacated has never been opened or improved.
4. That said street is not necessary as ingress or egress to any other property whatsoever.
5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said street be vacated as prayed.

Your petitioner files this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744 in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.


Charles M. Henry

R E S O L U T I O N

WHEREAS, Charles M. Henry, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to-wit:

Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Monday, February 24, 1975, at 7:30 P.M. (EST), and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street or alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

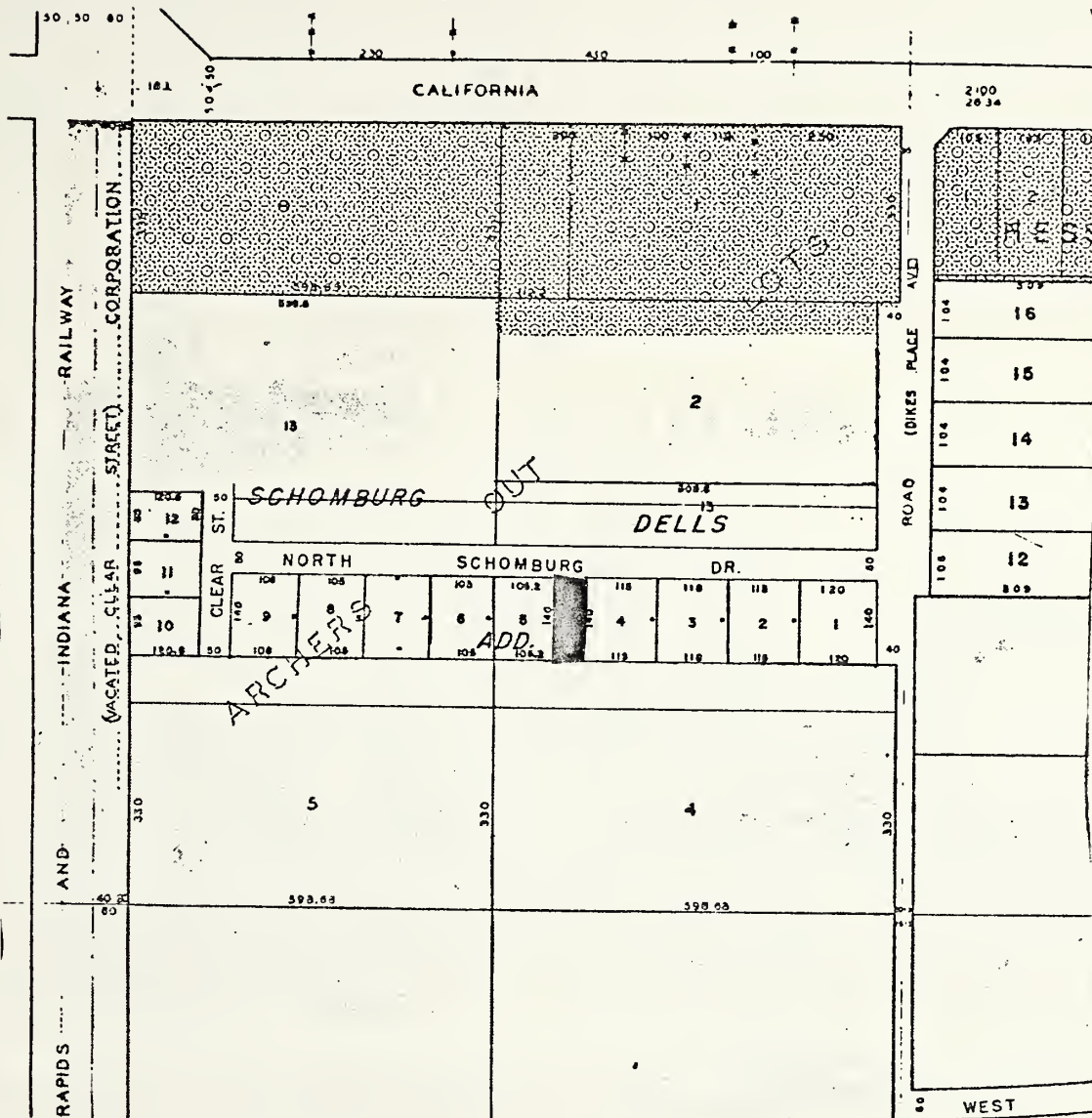
STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Vivian G. Schmidt, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on February 24, 1975, and as the same appears of record in the official records of said Plan Commission.

Dated this 24th day of February, 1975.

FORT WAYNE CITY PLAN COMMISSION


Vivian Schmidt
President



TO BE VACATED



THE CITY OF FORT WAYNE

board of public works

October 14, 1975

SUBJECT: PUBLIC HEARING

Dear Councilman Hinga:

Please be advised that the Board has scheduled a public hearing Thursday,
October 23, 1975 at 3:30 p.m. concerning the following
project(s):

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:



Dec. Res. 1394-75

Vac. of Dells Ave.

You are invited to attend this public hearing and hear the comments of your constituents regarding the project(s). If you have any questions on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell

Carl E. O'Neal

Betty Lou Nault

BOARD OF PUBLIC WORKS

ep

cc: Mayor

AN EQUAL OPPORTUNITY EMPLOYER

Improvement Resolution No. 1394-75 For THE VACATION OF DELLS AVENUE FROM THE SOUTH PROPERTY LINE OF NORTH SCHOMBURG DRIVE TO

ITS SOUTHERN TERMINUS

1-2

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	HENRY, CHARLES M JR & BARBARA ANN	2211 N. SCHOMBURG DRIVE	4			SCHOMBURG DELLS ADD AND
2	" " " " " "	" " " " " "	5			" " " " " "
3	INDIANA ASSOCIATION OF SEVENTH DAY ADVENTISTS	1405 BROADRIPPLE AVE INDIANAPOLIS INDIANA 46220			3 SPT.	ARCHERS OUT LOTS
4	KOZIM, MIRIAM J. KUSTATH	2107 N. SCHOMBURG DRIVE	1			SCHOMBURG DELLS A.F. 1st
5	SCHENKEL, NORBERT J. & MARY K	2115 " " " "	2			
6	SCHENKEL, CLETUS P. & MARGUERITE	2121 " " " "	3			
7	SCHENKEL, NORBERT JOHN JR & DANA	2223 " " " "	6			
8	ABELLA, JOSEPH & MARY GREW	2309 " " " "	7			
9	KOENEMANN, DELBERT & VAUGHANETTE	2317 " " " "	8			
10	LEVANDOSKI, WILHELM & HELEN	7028 WOODBURN LANE	9			
11	SCHOMBURG, R. J. SE	2015 SHERMAN ST	13			
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NOTICES MAILED OR SERVED		TOTAL				

7-25-75

By

JP

7-14-75

1394-75

